IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE SECOND DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

**THE HON'BLE MR JUSTICE N.V. RAMANA**

**WRIT PETITION NO: 854 of 1998**

Between:

D.Shyam Sundar, S/o. Lachaiah,
R/o. 6-4-260, Kharkhanagadda, Karimnagar.

**... PETITIONER**

AND

1 The Karimnagar Municipality, Rep.by its Commissioner. Karimnagar,
2 The Building Inspector, The Karimnagar Municipality, Karimnagar.

**...RESPONDENTS**

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to issue a Writ order or direction more particularly one in the nature of writ of Mandamus declaring the action of the respondents in not granting the permission for the construction of the building on the petitioner's application and plans and interfering with his construction activity and trying to demolish the building is arbitrary, illegal, improper, incorrect and violative of principles of natural justice consequently direct the respondents herein to grant approval and permission on the application and plans submitted by him and further direct the respondents herein not to interfere with the construction activity of his building.

**Counsel for the Petitioner: MR.V.V.N.NARASIMHAM**

**Counsel for the Respondents: MR. Polisetti Radhakrishna**

The Court made the following:

## ORDER:

This writ petition is filed seeking Mandamus declaring the action of the respondents in not granting permission for the construction of the building activity and trying to demolish the building is arbitrary, illegal.

2. In para-4 of the counter affidavit filed by the respondents, it is stated as under. -

> " It is respectfully submitted that the petitioner applied for building permission by paying necessary fees on 30.12.1996 to the 2nd respondent herein. There are civil disputes with regard to the property in question i.e. O.P.No.13 of 1987 on the file of the Land Grabbing Special Judge and L.G.A.NO.27 OF 1996 on the file of the Special Court under the Land Grabbing Prohibition Act, Hyderabad. In view of the pendency of the same, his building permission application dated 28.2.1997. Subsequently, after disposal of the above land grabbing cases, the petitioner herein obtained building permission on 11.10.2001 and he completed the construction".

Under those circumstances, no orders need be passed in the present writ petition and the same is accordingly closed. No order as to costs.

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**N.V. RAMANA, J**

March 2, 2005

**MRR**

**Copy to:**

1 The Commissioner, Karimnagar Municipality, Karimnagar,
2 The Building Inspector, The Karimnagar Municipality, Karimnagar.

3 Two C.D. Copies.